

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 SP-02 SSO-00 NSCE-00 USIE-00
INRE-00 DOE-15 ACDA-12 CIAE-00 DODE-00 PM-05
INR-10 NSAE-00 NASA-01 SOE-02 SS-15 OES-07 CCO-00
OTPE-00 EB-08 FCC-01 OC-06 COME-00 BIB-01 AF-10
ARA-10 EA-10 EUR-12 NEA-10 /154 W
-----062552 201642Z /53

O 201600Z MAR 78
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 7404
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L GENEVA 04244

E.O. 11652:GDS
TAGS: TSPA, UN, UR
SUBJ: OUTER SPACE LEGAL SUBCOMMITTEE - DBS

REF: A) STATE 64892 B) STATE 66565

FOR L-LEE MARKS

1. DBS DISCUSSION TO BEGIN AFTERNOON OF MONDAY, MARCH 20.
US DEL BELIEVES THAT WITHIN PARAMETERS OF INSTRUCTIONS
ON THIS ISSUE PER REFTELS, US POSITION WOULD BEST BE
SERVED IF WE WERE TO TABLE LANGUAGE RATHER THAN MERELY
TO REFUSE TO ACCEPT TEXT AGREEABLE TO VAST BULK OF COMMIT-
TEE. ACCORDINGLY, US DEL SEEKS DEPT CONCURRENCE ON TEXT
IN PARA 2 AS SUBSTITUTE FOR CONTENTIOUS LANGUAGE IN DBS
PRINCIPLES ON "AGREEMENTS AND/OR ARRANGEMENTS." LANGUAGE
IS LARGELY BASED ON BOTH EXISTING LSC TEXT AND ALSO
LANGUAGE APPROVED BY USG FOR USE AT JUNE 77 OUTER SPACE
COMMITTEE MEETING IN VIENNA, BUT NEVER TABLED. (REF MEMO
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OF 6/14/77 FROM TARNOFF TO BRZEZINSKI).

2. QUOTE. A DIRECT TELEVISION BROADCASTING SERVICE BY
MEANS OF ARTIFICIAL EARTH SATELLITES SPECIFICALLY
DIRECTED AT A FOREIGN STATE, WHICH SHALL BE ESTABLISHED
ONLY WHEN IT IS NOT INCONSISTENT WITH THE PROVISIONS OF
THE RELEVANT INSTRUMENTS OF THE INTERNATIONAL TELECOM-

MUNICATION UNION, SHALL BE PRECEDED BY NOTIFICATION TO THE RECEIVING STATE. UPON REQUEST OF THE RECEIVING STATE, CONSULTATIONS BETWEEN BROADCASTING AND RECEIVING STATES, OR THE BROADCASTING ENTITIES DULY AUTHORIZED BY THE RESPECTIVE STATES, SHALL TAKE PLACE PROMPTLY ON A TECHNICAL OR DIPLOMATIC LEVEL, AS REQUESTED, WITH A VIEW TO REACHING APPROPRIATE ARRANGEMENTS IN ORDER TO FACILITATE THE FREER AND WIDER DISSEMINATION OF INFORMATION OF ALL KINDS, TO ENCOURAGE CO-OPERATION IN THE FIELD OF INFORMATION, THE EXCHANGE OF INFORMATION WITH OTHER COUNTRIES, AND PEACEFUL AND FRIENDLY RELATIONS AMONG THE STATES CONCERNED.

NO SUCH NOTIFICATION AND CONSULTATIONS SHALL BE REQUIRED WITH RESPECT TO THE OVERSPILL OF THE RADIATION OF THE SATELLITE SIGNAL WITHIN THE LIMITS ESTABLISHED UNDER THE RELEVANT INSTRUMENTS OF THE INTERNATIONAL TELECOMMUNICATION UNION. UNQUOTE

3. IMPORTANT POINTS IN REGARD TO ABOVE LANGUAGE ARE THE FOLLOWING:

--TEXT IS NOT A "TECHNICAL FIX" APPROACH, BUT MERELY RECOGNIZES THAT DBS MUST NOT BE INCONSISTENT WITH ITU REQUIREMENTS.

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--PHRASE "WITH A VIEW TO REACHING APPROPRIATE ARRANGEMENTS" SERVES TO GIVE AN OBJECTIVE TO THE CONSULTATIONS, BUT WOULD NOT REQUIRE THAT ANY SUCH ARRANGEMENTS BE IN FACT CONCLUDED BEFORE A DBS SERVICE IS INITIATED OR CARRIED OUT. THE TEXT, THEREFORE, IS NOT A CONCESSION TO "PRIOR CONSENT." DEPENDING ON PROGRESS OF NEGOTIATIONS, US DEL WOULD FIRST TABLE TEXT WITHOUT THIS PHRASE BUT WOULD BE PREPARED TO INSERT PHRASE AT APPROPRIATE TIME IF US DEL BELIEVED TEXT WOULD THEN BE SUPPORTED BY SUBSTANTIAL NUMBER OF DELS.

--REFERENCE TO "FREER AND WIDER DISSEMINATION" IS FROM HELSINKI DECLARATION, AND WILL BE ACCEPTED BY US DEL ONLY IN CONJUNCTION WITH CLEAR PREAMBULAR REFERENCES TO THE PRINCIPLE OF FREEDOM OF EXPRESSION AS SET FORTH IN UN INSTRUMENTS.

4. DEPT CONCURRENCE IN PROPOSED TEXT IS REQUESTED BY COB MONDAY, MARCH 20, WASHINGTON TIME. UNLESS OTHERWISE ADVISED, US DEL INTENDS TO GIVE LANGUAGE TO FRG, UK AND USSR ON TUESDAY MORNING, AS INFORMAL TEXT, NOT AS YET APPROVED BY WASHINGTON. VANDEN HEUVEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, INTERNATIONAL ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA04244
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780122-1019
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780348/aaaabopg.tel
Line Count: 116
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: dc51f2c3-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 64892, 78 STATE 66565
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3271778
Secure: OPEN
Status: NATIVE
Subject: OUTER SPACE LEGAL SUBCOMMITTEE - DBS
TAGS: TSPA, PORG, UR, UN, OUTER SPACE LEGAL SUBCOMMITTEE
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/dc51f2c3-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
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20 Mar 2014
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